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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 03-637)

In re Application of: )  
Tom McCarthy et al. )  
Serial No.: 10/622,146 ) Group Art Unit: 3621  
Filed: July 16, 2003 ) Examiner: Christina O. Sherr  
For: Method and Apparatus for Distributing ) Confirmation No. 1889  
Media in a Pay Per Play Architecture With )  
Remote Playback )

**TRANSMITTAL LETTER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
  1. Information Disclosure Statement
  2. Form PTO-1449
  3. One Cited reference
  4. Return Postcard
2. With respect to additional fees:
  - A.  No additional fee is required.
  - B.  Attached is a check in the amount of \$\_\_\_\_\_.
  - C.  Charge the total additional fee to our Deposit Account No. **13-2490.**
3. Please charge any additional fees or credit overpayments to the Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this **22** day of February 2006.

By:

  
Paul W. Churilla  
Reg. No. 47,495



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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following reference and information of record in the above-identified application. The reference is also listed in the PTO-1449 form enclosed herewith. It is requested that the reference and information be given careful consideration and that they be cited of record in the prosecution history of the present application.

In the judgment of the undersigned, portions of the reference may be material to the examination of the pending claims. No representation is intended as to the relative importance of any portion of the reference. This Statement is not a representation that the cited reference has an

effective date early enough to be "prior art" within the meaning of 35 U.S.C. §§ 102 and 103.

#### **CITED REFERENCES**

##### **Other Documents:**

1. Notification Concerning Transmittal of Copy of International Preliminary Report on Patentability and the Written Opinion of the International Searching Authority for PCT application of Digital Networks North America, Inc., PCT/US2004/022906, dated January 26, 2006.

#### **CERTIFICATE UNDER 37 C.F.R. § 1.97(e)(1)**

Pursuant to 37 C.F.R. Section 1.97(e)(1) the undersigned certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: Feb. 22, 2006

By:

  
\_\_\_\_\_  
Paul W. Churilla  
Reg. No. 47,495

FORM PTO-1449  
(Rev. 2-32)

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

Serial No.



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

03-637

10/622,

**Applicant:**

Tom McCarthy et al.

**Filing Date:**  
7/16/2003

**Group:**  
2611

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation
							Yes
							No

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

			Notification Concerning Transmittal of Copy of International Preliminary Report on Patentability and the Written Opinion of the International Searching Authority for PCT application of Digital Networks North America, Inc., PCT/US2004/022906, dated January 26, 2006.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.